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Ex-Boss Says Writer on C.I.A. Has Not Revealed Any Secrets

By DAVID E. ROSENBAUM

Special to The New York Times

WASHINGTON, April 19 — Adm. Rufus L. Taylor, the former Deputy Director of Central Intelligence, said today that as far as he knew, his former executive assistant, Victor L. Marchetti, had never revealed intelligence secrets.

A Federal judge issued a temporary restraining order yesterday to prevent Mr. Marchetti from publishing a book or articles about the agency. The judge acted at the request of the Justice Department.

Admiral Taylor, who is now retired and living in Frogmore, S.C., said in a telephone interview that he had read an article by Mr. Marchetti in the April 3 issue of The Nation magazine and had read accounts of several interviews with Mr. Marchetti.

Mr. Marchetti's statements in the article and in the interviews were "inaccurate but not damaging," Admiral Taylor said.

Only Known Case

Experts in an out of the Government said today that they knew of no other instance in which the Government had filed suit to keep one of its former employees from speaking or writing.

One specialist in intelligence affairs said, however, that he believed Mr. Marchetti was the first person ever to leave the Central Intelligence Agency and then publicly criticize the agency's activities.

Mr. Marchetti, now 42 years old, left the agency in 1969 after 14 years. His highest position was as executive assistant to Admiral Taylor, who was deputy director from 1966 to 1969.

Except for the article in The Nation, Mr. Marchetti's only published work is a novel, "The Rope Dancer," which came out last fall. In the novel, fictitious agents distort facts to fit the whims of the President of the United States and plot to overthrow a South American government.

Mr. Marchetti has a contract with Alfred A. Knopf, Inc., to write a nonfiction book about the agency. In an interview, Mr. Marchetti said the book would be "a balanced attempt to try to explain how the agency works."

He said that he had not begun to write the book and that he had agreed to submit his manuscript to the C.I.A. for scrutiny before it was published.

Mr. Marchetti recently wrote but the article was withdrawn and never published. Mr. Marchetti's literary representative, David Obst, said he had with-

drawn the article because he wanted to save Mr. Marchetti's material for the forthcoming book. An Esquire editor said the manuscript had been rejected for literary reasons.

Both the Esquire manuscript and a proposed outline for the book were sent to several major publishers in an attempt to sell the book, Mr. Obst said.

The Government included sealed copies of the manuscript and the outline with its complaint. The manuscript, the Government said, would "result in grave and irreparable damage to the national defense interests of the United States and the conduct of foreign relations."

There is a "substantial likelihood" that the book would "divulge currently classified information," the complaint continued.

Hearing Set April 28

The restraining order was issued by Judge Albert V. Bryan Jr. of the Federal District Court for the Eastern District of Virginia. He set a hearing for April 28, after which he will decide whether to issue an order permanently restraining Mr. Marchetti from publishing works about the agency.

Justice Department lawyers were said to be basing their case on the contention that by publishing works about the agency, Mr. Marchetti would breach a contract, namely the "secrecy agreements" he signed upon joining and leaving the agency.

In these agreements, Mr. Marchetti promised not to reveal intelligence information without the permission of the agency.

Lawyers for the American Civil Liberties Union, who are representing Mr. Marchetti, contend that to prevent Mr. Marchetti from publishing a work before it is written would be prior restraint in violation of the First Amendment.

They are relying heavily on the Pentagon papers case, in which the Supreme Court declared last summer that any attempt by the Government to block articles prior to publication bears "a heavy burden of presumption against its constitutionality."

Admiral Taylor said today that he came to Washington a few weeks ago and told Mr. Marchetti at lunch that "I hoped he would be careful about what he wrote and would submit everything to the agency before it was published."

Admiral Taylor said that Mr. Marchetti had promised to do so and that he was satisfied with the promise.

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